

**MINUTES  
PIQUA CITY COMMISSION  
Tuesday October 15, 2013  
7:30 P.M.**

Piqua City Commission met at 7:30 P.M. in the Municipal Government Complex Commission Chambers located at 201 W. Water Street. Mayor Fess called the meeting to order. Also present were Commissioners Terry, Wilson, Vogt, and Martin.

Also present: Jim Hemmert, Jim Cruse, Brad Boehringer.

**REGULAR CITY COMMISSION MEETING**

**Consent Agenda**

Moved by Commissioner Martin, seconded by Commissioner Wilson to bring the tabled September 17, 2013 Minutes back to the table. Voice vote, Aye: Martin, Wilson, Vogt, Terry and Fess. Nay, None.

**Approval of Minutes (Tabled October 1, 2013)**

Approval of the revised minutes from the September 17, 2013 Commission Meeting.

Approval of the minutes from the October 1, 2013 Regular Piqua City Commission Meeting.

Moved by Commissioner Martin, seconded by Commissioner Wilson, to adopt the revised Minutes of the September 17, 2013, and the October 1, 2013 City Commission Minutes. Voice vote, Aye: Martin, Fess, Vogt, Terry, and Wilson. Nay: None. Motion carried unanimously.

**Old Business**

**ORD. NO. 14-13** (3rd Reading)

An Ordinance amending Section 151.135, 151.70, 151.71, and 151.73 of Chapter 151 of the City of Piqua Code of Ordinance to establish construction performance requirements for subdivision improvements

City Planner Chris Schmiesing stated this is the final reading on the changes in chapter 151 of the Piqua Code. This will amend the subdivision regulations to include construction performance requirements for subdivision improvements. The proposed amendments will provide a means for ensuring that the approved subdivision improvements will be constructed within a reasonable timeframe and that all of the work items incidental to the approved improvement will be complete prior to any individual lot improvements being permitted.

Mr. Schmiesing stated the Commissioners have received a copy of the Code Section 151 explaining the drainage tile, in reference to the question that Commissioner Martin asked at the previous City Commission Meeting.

**Public Comment**

No one came forward to speak for or against Ordinance 14-13.

Moved by Commissioner Terry, seconded by Commissioner Wilson, that Ordinance No. 14-13 be adopted. Roll call, Aye: Terry, Martin, Vogt, Wilson, and Fess. Nay, None. Motion carried unanimously.

**ORD. NO. 15-13** (1<sup>ST</sup> Reading)

An Ordinance to vacate a portion of Public Right-of-Way

City Planner Chris Schmiesing stated the applicant desires to vacate a platted portion of Hardin Road Alternate (Old State Route 66) right of way between Hardin Road and State Route 66. The Right of way is located within the boundaries of the new water treatment plant construction site.

The Planning Commission held a public hearing to study the request and receive public comments. No one from the public spoke concerning the item, and upon review the Planning Commission recommended approval of this vacation.

**Public Comment**

No one came forward to speak for or against Ordinance No. 15-13.

Several questions were raised concerning the existing road, and if there would be a back entrance into the Water Treatment Plant. It was noted that there would be a turnaround at the end of the roadway and not just a dead-end.

After a brief discussion Ordinance No. 15-13 was given a first reading.

**RES. NO. R- 129-13**

A Resolution of authorization to submit an application for Ohio Public Works Commission State Capital Improvement and Local Transportation Improvement Program(s) and to execute contracts as required for the County Road 25-A Phase III Reconstruction Project

City Engineer Amy Havenar explained this Resolution would allow the City Manager to file an application with the Ohio Public Works Commission (OPWC) for funding in the amount of \$400,000 for the County Road 25-A Phase III Reconstruction Project. In July the City submitted an application for funding and this is the formal application to receive funding. The project will consist of reconstruction of CR 25-A from Looney Road to just east of Indian Ridge Drive and will include new granular base, asphalt pavement, concrete curb and gutters, new storm sewer, and the construction of a 10' wide multi-use path on the north side of the roadway. This project is currently under design and is scheduled to begin construction in the summer of 2015.

**Public Comment**

No one came forward to speak for or against Resolution No. R-129-13.

Moved by Commissioner Wilson, seconded by Commissioner Terry, that Resolution No. R-129-13 be adopted. Roll call, Aye: Wilson, Fess, Vogt, Terry, and Martin. Nay: None. Motion carried unanimously. Mayor Fess then declared Resolution No. R-129-13 adopted.

**RES. NO. R-130-13**

A Resolution of Authorization to submit an application for Federal Map-21 Funds through the Miami Valley Regional Planning Commission

City Engineer Amy Havenar explained that the Miami Valley Regional Planning Commission is in the process of soliciting for new transportation projects using MVRPC regionally controlled federal funds (STP, TA, & CMAQ). Projected projects for submission include the Garbry Road/Looney Road Intersection Improvement Project, and the East Ash Street (US Route 36) Separated Bike Lane/Pedestrian Facility. Ms. Havenar explained what each project would consist of.

City Manager Huff stated both projects are not going to be started until 2018/2019, and only if the city receives funding. Several questions were raised concerning the projects, is the city locked into these two particular projects with this funding, or could it be used for other projects; there were concerns voiced over using the east bound lane for the Bike Path/Pedestrian lane, and the use of a roundabout at the Looney Road/Garbry Road intersection. City Manager Huff explained that no money has been set aside for either of these projects at this time. Commissioner Vogt voiced his concern over the city streets that are in need of repairs and like to see money put in for these repairs first. How we can ask our citizens to donate money for our Parks Project when we do not

take care of the current infrastructure, stated Commissioner Vogt. City Manager Huff stated we are not taking any money from the General Fund. Mayor Fess stated when we receive grant money it is stated specifically what it is to be used for. We are not asking for money at this time for these two projects, just asking for permission to apply for the funding. This will have to come back to the Commission before either of the projects is considered if the city even receives the funding. This will be the 2018 City Commissioners responsibility, stated Mayor Fess.

Commissioner Martin asked if the State would hold the city to what is stated in Resolution R-130-13. City Manager Huff stated the City will go through a design process first. City Engineer Havenar explained the process steps for starting a project. Commissioner Martin also stated he was concerned about what was stated in the staff report. Ms. Havenar stated the staff report is not part of the Resolution and will not be sent in with the Resolution.

Commissioner Wilson stated that the majority of the citizens do not want to see a roundabout, and inquired if there were any accident reports available regarding the intersection in question. Commissioner Wilson also voiced his opinion about the separate 10' width of the bike lane, stating he would like to keep the 2 lanes on the east side. City Manager Huff stated he would look into the concerns.

A question was raised on whether or not the Resolution should be amended. Law Director Stacy Wall stated there is no need to amend the Resolution, as the staff report is not part of Resolution No. R-130-13 and will not be sent in.

#### **Public comment**

Brad Boehringer, Mound Street came forward and voiced his opinion on the usage of the bridge and the Pedestrian/Bike Path. City Manager Huff stated there have been several counts and they are used quite heavily. Mr. Boehringer also voiced his opinion of the use of a roundabout at the Looney Road/Garbry Road intersections, stating it has been turned down previously by Commission so why is it coming back again. City Manager Huff stated they have crash reports dating back to 2010. It was noted that if a roundabout were to go in it would help with the increase in traffic as the area around it develops in the future. City Manager Huff gave a brief overview of the use of roundabouts in areas he has been in previously and how they help with the flow of traffic.

Moved by Commissioner Wilson, seconded by Commissioner Vogt, to delete Section 1 of Resolution No. R-130-13. Roll call, Aye: Vogt, Wilson. Nay: Terry, Martin, and Fess. Motion was denied on a 2-3 vote.

Moved by Commissioner Martin, seconded by Commissioner Terry to approve Resolution No. R-130-13 with the understanding that the Pedestrian Bike Path width across the bridge would be determined at a later date. Law Director Wall indicated to City Commission that based on the City Commission discussion they were moving to approve the resolution but not based on the details of the staff report defining a 10' wide Bike Path and did not want the details of the staff report submitted with the Resolution for funding. Roll call, Aye: Terry, Martin, Fess. Nay: Vogt, and Wilson. Motion passed on a 3-2 vote. Mayor Fess then declared Resolution No. R-130-13 adopted.

#### **PUBLIC COMMENT**

Jim Hemmert, Boone Street came forward stating the Pedestrian/Bike Path is really a Multi-Use Path not just for bicycles. Mr. Hemmert cited several events that have taken place on Path which include the Moonlight Bike and Stride and the Groovy Gourd Bike Ride. Mr. Hemmert explained the usage of the path, further stating a survey was completed recently, and over 1800 people used the bike path, not only Piqua residents but residents from other communities such as Dayton, Maria Stein, and Greenville for example. Mr. Hemmert encouraged residents to come out for the Groovy Gourd Bike Tour on Saturday October 19, 2013.

Jim Cruse, County Road 25A, came forward and voiced his concern about the condition of the city streets, and asked if the lanes on the Pedestrian/Bike Path on the bridge have to be a certain width to be regulation size? City Manager Huff stated the streets are one of the major issues we have to address, and we are working on getting more funding to do the necessary repairs and repaving.

### **City Manager's Report**

City Manager Huff announced the Phase I Public Hearing on the Stormwater Master Plan will be held on Wednesday October 16, 2013 from 4:00 – 6:00 P.M. in the Commission Chambers.

The Fort Piqua Plaza Gala celebrating the 5<sup>th</sup> Year Anniversary will take place on October 16, 2013 at the Fort Piqua Plaza beginning at 7:00 P.M. with the Dayton Philharmonic Orchestra performing.

The Miami County Economic Development Forum will take place at Hartzell Propeller on Thursday October 17, beginning at 8:00 A.M.

The Chamber Regional Business Showcase will take place at the Piqua High School on Thursday October 17, beginning at 4:00 P.M. and is a free event.

Mainstreet Piqua will host the Groovy Gourd Bike Tour that will take place on Saturday October 19, with registration beginning at 8:00 A.M. outside of the Municipal Government Complex.

The City of Piqua employees Give Committee is collecting nonperishable food items for the Back Pack Program in cooperation with the Piqua School District. The first collection is running through October 25, 2013. These items will go to high school needy students who might not have food on the weekends.

### **Commissioners Comments**

Commissioner Wilson stated he has received several calls concerning the single lane of traffic during the construction on Route 36, and wanted to assure citizens there will still be two lanes of traffic when the construction work is completed.

Commissioner Wilson thanked Unity Banks "Unity in the Community" volunteers for working on the Public Square mulching and cleaning. Unity Bank has offices in Piqua, Troy, and Tipp City and these 52 plus volunteers are donating their time to better their communities in various ways. Commissioner Wilson stated maybe they will inspire other local businesses to come up with other public service projects to do in the community.

Commissioner Vogt reminded citizens that Halloween is coming up soon to be careful, and watch out for the little ones on the streets during Trick or Treat.

Mayor Fess congratulated Susie Wise on receiving the Miami County Women of Excellence Award provided by the YWCA.

Mayor Fess addressed the issue of House Bill 5 by reading a letter that was written by Bill Duncan, Mayor of Oakwood, that he has asked other communities to read regarding House Bill 5. Mayor Fess asked City Manager Huff to provide a little of the background on House Bill 5.

City Manager Huff provided a brief overview of House Bill 5 and what it would mean to local cities if it is passed.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Commission Meeting at 8:30 P.M. Voice vote, Aye: Martin, Wilson, Terry, Vogt, and Fess. Nay, None.

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LUCINDA L. FESS, MAYOR

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
REBECCA J. COOL  
CLERK OF COMMISSION